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PATENT  
Attorney Docket 040750-5006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: **Ivan Gout et al.** )  
Application No. **09/762,258** )  
Filed: **May 29, 2001** )  
For: **Identification and functional characterization of** )  
    **a novel ribosomal S6 protein kinase** )

Group Art Unit: **1652**

Examiner: **Delia M. Ramirez**

Commissioner for Patents  
Washington, D.C. 20231

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is a Response to Restriction Requirement and Amendment Under 37 C.F.R. 1.115 in response to the Office Action dated August 26, 2002 (Paper No. 6).
2. **Extension of Time:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a one-month extension of time from September 26, 2002 to October 26, 2002, the fee for which is **\$55.00** as set out in 37 C.F.R. 1.17(a). This response is being filed under the next business day rule on Monday, October 28, 2002 as the due date for responding falling on a weekend (Saturday, October 26, 2002). The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
3. **Fee Calculation** (37 C.F.R. 1.16)

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	<b>59</b>	minus	<b>41</b>	<b>18</b>	\$18 each=	<b>324.00</b>
Independent Claims	<b>19</b>	minus	<b>17</b>	<b>2</b>	\$84 each=	<b>168.00</b>
First presentation of Multiple dependent claim					\$280.00	<b>0.00</b>
					<b>SUB-TOTAL =</b>	<b>492.00</b>
					<b>Reduction by ½ for filing by a small entity</b>	<b>246.00</b>
					<b>TOTAL FEE =</b>	<b>\$246.00</b>

4. **Fee Payment:** The Commissioner is authorized to charge **\$301.00** to Deposit Account No. 50-0310 for payment of the one-month extension of time fee (\$55.00), additional total claims fee (\$162.00) and additional independent claim fee (\$84.00).
5. **Constructive Petition:** **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This

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paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **October 28, 2002**  
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1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted  
**Morgan, Lewis & Bockius LLP**

  
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